IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

RICKEY MARTIN :

Plaintiff,

v. : Civil Action No.

: 5:08-CV-141(HL)

WAFFLE HOUSE, INC.,

:

Defendant.

:

ORDER

Presently pending before this Court are Defendant's Motion to Deem Requests for Admission as Admitted and Plaintiff's Discovery Objections Waived (Doc. 18), Motion to Compel (Doc. 19), and Motion for Extension of Time to Complete Discovery (Doc. 20). Plaintiff has also filed a Motion to Appoint Counsel (Doc. 16). In the Motion for Extension of Time, Defendant requests that the discovery period be extended for 60 days to allow the Court to rule on the pending Motions, and to allow Defendant to take Plaintiff's deposition.

On February 5, 2009, the Court held a hearing on the pending Motions. At the hearing, Plaintiff, proceeding pro se, explained that he had not responded to Defendant's discovery requests because he did not have the assistance of counsel and had a difficult time understanding the Defendant's discovery requests. The Court instructed Plaintiff that it was not going to appoint counsel to represent him in this

Case 5:08-cv-00141-HL Document 23 Filed 02/09/09 Page 2 of 2

matter. To allow Plaintiff an adequate opportunity to place his claim before the Court,

the Court instructed Plaintiff and Defendant to confer and resolve the discovery issues.

The Court ordered that the discovery period be extended for 45 days so that the

discovery issues could be resolved. The Court also instructed the parties that it would

reserve ruling on the Motion to Compel and Motion to Deem Requests for Admissions

Admitted until the conclusion of the 45 day period.

Accordingly, the Court hereby grants in part and denies in part Defendant's

Motion for Extension of Time. The discovery period shall be extended by a period of

45 days. The Court reserves ruling on Defendant's Motion to Compel and Motion to

Deem Requests for Admission Admitted. Plaintiff's Motion to Appoint Counsel is

denied.

SO ORDERED, this the 9th day of February, 2009.

s/ Hugh Lawson HUGH LAWSON, Judge

dhc